

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings against Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram under Rule 20 of A.P.C.S.(CC&A)Rules, 1991 - Article of charges – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 111

Dated:02-02-2012

ORDER:

It is proposed to hold an inquiry against the said Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram in accordance with the procedure laid down in Rule 20 of A.P.Civil Services(CC&A)Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of charge (Annexure-I & II). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram is directed to submit within 15 days of the receipt of this orders, a written statement of his defence.

4. Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram is further informed that an inquiry will be held only in respect of those article of charge as is not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram is further informed that if he does not submit his written statement of defence on or before the date specified in Para (3) above or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P.Civil Services(CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiry authority may hold the inquiry against him exparte and further action will be proceeded based on the material available.

6. The attention of Sri Mohd. Shamshuddin, Deputy Executive Engineer (AM), Vizianagaram is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri Mohd. Shamshuddin, Deputy Executive Engineer(AM), Vizianagaram is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Mohd. Shamshuddin,
Deputy Executive Engineer(AM)(U/s), Vizianagaram
(Through : Commissioner and Director of Agricultural Marketing, Hyderabad)

Copy to:-
The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad.
(With a request to serve the copy and send dated acknowledgment)
The Director General, Anti Corruption Bureau, Hyderabad.
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENTS OF ARTICLES OF CHARGES FRAMED AGAINST
SRI MOHAMMAD SHAMSHUDDIN, S/O MD.SIRAJUDDIN, DEPUTY EXECUTIVE
ENGINEER, AGRICULTURAL MARKETING, VIZIANARAM DISTRICT

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That Sri Mohammad Shamshuddin, S/o Md.Sirajuddin, joined Government service as Engineer Trainee in the company of A.P. Heavy Machinery & Engineering Limited on 01-11-1991 and worked there till 26-05-1994. On 27-05-1994, he was posted in Agricultural Marketing Department on deputation basis. On 06-03-1995, he was permanent absorption as Assistant Engineer in the office of the Deputy Executive Engineer, Agricultural Marketing, Vijayawada and worked there till 27-03-2009, promoted as Deputy Executive Engineer and posted at Vizianagaram on 28-03-2009 and worked there till 20-06-2010. While working as Deputy Executive Engineer, Agricultural Marketing, Vizianagaram from 28-03-2009 to 20-06-2010 at the office of the Deputy Executive Engineer, Agricultural Marketing, Vizianagaram as such committed grave misconduct in-as-much as he did not submit his Annual Property Returns to the competent authority during his tenure at Vizianagaram as Deputy Executive Engineer i.e. 28-03-2009 to 20-06-2010 and failed to maintain absolute integrity and thereby violated the provisions of A.P.C.S.(Conduct) Rules, 1964.

Thus, Sri Mohammad Shamshuddin, S/o Md.Sirajuddin, by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 9(7) read with 3(1)(2) of A.P.C.S.(conduct) Rules, 1964.

I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-II

**STATEMENTS OF IMPUTATION OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT
OF ARTICLES OF CHARGES FRAMED AGAINST SRI MOHAMMAD SHAMSHUDDIN,
S/O MD.SIRAJUDDIN, DEPUTY EXECUTIVE ENGINEER, AGRICULTURAL MARKETING,
VIZIANAGARAM DISTRICT**

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Sri Mohammad Shamshuddin, S/o Md.Sirajuddin is a native of Vijayawada. He joined Government Service as Engineer Trainee in the company of A.P.Heavy Machinery & Engineering Limited on 01-11-1991 and worked there till 26-05-1994. On 27-05-1994, he was posted in Agricultural Marketing Department on deputation basis. On 06-03-1995, he was permanent absorption as Assistant Engineer in the office of the Deputy Executive Engineer, Vijayawada and worked there till 27-03-2009. Promoted as Deputy Executive Engineer and posted at Vizianagaram on 28-03-2009 and worked there till 20-06-2010. He was drawing a basic of Rs.27,000/-.

That the Government Servant while working as Deputy Executive Engineer in the Agricultural Marketing Department did not file Annual Property Statements before the competent authority from 28-03-2009 to 20-06-2010.

The brief facts of the case are that a case in Cr.No.08/RCT-ACB/VZM/2010 under Sections 7, 13(2) read with 13(1)(d) of P.C.Act, 1988 was registered on 21-06-2010 at 9-00 A.M. against Sri Mohammad Shamshuddin, S/o Md.Sirajuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram District(Government Servant) for demanded of bribe amount of Rs.15,000/- to do official favour and he was trapped on 21-06-2010 for accepting tainted amount of Rs.15,000/- from Sri Kilaparthi Pentannaidu, S/o Late Pydipunaidu, 63 years, Contractor, Poram Village, Mentada Mandal, Vizianagaram District.

During the course of investigation of the case Sri K.S.R.Prasad, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram vide his letter No.145/2010/JA/Dy.EE(AM)/VZM, dt.16-07-2010 informed that the Government Servant had not furnished any Annual Property Returns to the competent authority from the date of promotion as Deputy Executive Engineer to till date at Vizianagaram.

Thus the facts and evidence collected during the course of investigation of the case revealed the Government Servant had not filed the APRS to the competent Authority. Thus, it is evident that the Government Servant contravened the Rule 9(7) of A.P.C.S.(Conduct)Rules, 1964. It is mandatory on the part of the Government Servant to submit Annual Property Returns as per Rule 9(7) of A.P.C.S.(Conduct)Rules, 1964.

Thus, the Government Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened Rule 9(7) read with 3(1)(2) of A.P.Civil Services(Conduct)Rules, 1964.

Thus, the Government Servant therefore rendered himself liable for regular Departmental Action for major penalty.

**I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

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SECTION OFFICER

ANNEXUR-III

LIST OF WITNESSES:

- 1) Sri K.S.R. Prasad, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram
- 2) Sri S. Ramesh, Range Inspector, Anti Corruption Bureau, Vizianagaram Range, Vizianagaram.

**I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

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ANNEXURE-IV

LIST OF DOCUMENTS:

- 1) Letter No.145/2010/JA/Dy.EE(AM/VZM, Dated:16-07-2010 of Sri K.S.R.Prasad, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram.

**I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

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